

12 May 2022

Planning Department
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

FAO Tony Mitchell

Dear Tony

New Victoria (Residential), Manchester – Application for Discharge of Conditions 4, 5, 20, 30 and 32 attached to Planning Permission Ref: 128667/JO/2020 (as amended)

Please find enclosed a condition discharge application, in relation to New Victoria, Planning Permission Reference: 128667/JO/2020 (as amended). The applicant is Muse Developments Ltd.

This application is submitted to discharge Conditions 4 (Landscaping Scheme), Condition 5 (Information Board), Condition 20 (Acoustic Insulation), Condition 30 (Acoustic Insulation - Verification) and Condition 32 (Acoustic Insulation - Plant) attached to Planning Permission 128667/JO/2020, as amended.

Background

Planning permission was granted in September 2016 for two residential buildings containing 520 apartments and one office building comprising 11,647sq.m office accommodation, as well as ground floor commercial space, landscaping, car parking and other associated works (Ref: 111777/FO/2016/C1). The original permission was subsequently superseded by application ref: 128667/JO/2020, approved on 19 March 2021, allowing amendments to the approved plans to introduce a new link bridge between the two residential buildings. The description of development for planning permission 128667/JO/2020 is as follows:

“Variation of condition 2 (specified plans) attached to previously approved planning application 111777/FO/2016/C1 to allow for changes to the approved plans to include formation of a new enclosed amenity use bridge link between the two approved residential buildings at upper ground floor level only, together with roof top amenity space/terrace on top of new bridge link.”

Planning permission 128667/JO/2020 has been subject to more recent non-material amendment applications:

- 131321/NMC/2021 - for the installation of a concrete relieving slab underground and immediately above the River Irk culvert (approved on 13 August 2021).
- 132551/NMC/2021 - for alterations to the external appearance of the lower ground floor and ground floor elevations of residential towers 1 and 2, alterations to typical floor plans of towers 1 and 2 relating to purge panels and AOV windows to allow for smoke extract system (approved 25 January 2022)
- 134166/NMC/2022 – amendment of time trigger attached to Condition 5 (Art Work and Stone Coping) (approved 20 July 2022)
- 136439/NMC/2023 – revision of condition wording to Condition 5 (Public Art and Stone Coping) to remove reference to public artwork, instead requiring installation of an information board (approved 5 April 2023)
- PP-12074411 – reduction in size of overall size of retail unit and amendments to the landscaping scheme. A concurrent application for Full Planning Permission was made (PP-12075809) for the erection of an emergency generator.

The residential phase of the development is currently under construction.

Condition Discharge

The table below sets out the relevant condition and the documents that are submitted in support of the application for discharge.

Table 1: Condition and Information Submitted

Condition Wording	Full or Partial Discharge	Submitted information
4 Landscaping Scheme Before any landscaping works commence, including to the new amenity area on top of the approved bridge link between the 2 residential blocks, final details of the proposed landscaping schemes(s) (including samples of the proposed materials) shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date each phase (as agreed under Condition 2) is occupied. • If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub	Full Discharge*	• PL1487-EX-003-06 Sample Schedule (Amenity Link Bridge) • Hardworks Upper GA – VIC-PIE-EZ-00U-DR-L-00115 Rev P21 • Hardworks Lower GA – VIC-PIE-EZ-00L-DR-L-00114 Rev P19 • Burlington Stone Sample Image • Amenity Link Bridge Roof Paving Samples Types P1 and P2 • Hardworks General Arrangement Amenity Link – VIC-PIE-AL-01-DR-L-10000XXXX

Condition Wording	Full or Partial Discharge	Submitted information
planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agree in writing by the City Council as local planning authority.		
5 Information Board a) Notwithstanding the details submitted with the application, prior to the commencement of any landscaping works, details of the proposed blue brick wall parapet and stone coping, as referred to in the Landscape Masterplan - Ground Floor and the Design and Access Statement, shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the first phase of development (Residential Blocks 1 and 2) hereby approved is first occupied. b) Prior to the commencement of any landscaping works, details of the proposed historic interpretation (information board) shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the first phase of development (Residential Blocks 1 and 2) hereby approved is first occupied	Full Discharge. (Part A has been discharged previously under CDN/22/0750)	• New Victoria – Information Board • New Victoria Information Board – Location Plan • Correspondence with GMAAS

Condition	Wording	Full or Partial Discharge	Submitted information
20	Acoustic Insulation a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority. Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively. If a gym is implemented within the development hereby approved an assessment of noise and vibration for gym activities shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to use as a gym. For the avoidance of doubt this should include, but not restricted to, measures such as recommendations with regard to acoustic build-up of free weights areas and insulation of impact machines, assessment of any sound transmission paths or flanking routes and recommendations with regard to any necessary acoustic treatment of these areas. The above entertainment noise criteria and restrictions shall apply to any amplified sound associated with any gym use.	Partial Discharge (Part A)	- New Victoria Conditions 20a and 30b (Residential Acoustic - Post Completion Report)

Condition Wording	Full or Partial Discharge	Submitted information
b) Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. If a gym is to be implemented within the development, the proposals for verification shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to verification taking place.		

Condition Wording	Full or Partial Discharge	Submitted information
30 Acoustic Insulation – Verification The proposed development shall be carried out in accordance with the recommendations in the Noise Survey section of the Environmental Statement prepared by Arup and Deloitte and stamped as received by the City Council, as local planning authority on 15 April 2016 in relation to NSE1 and subject to the following: (a) Prior to occupation of each block of the residential element of the scheme, a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non-compliance suitably mitigated in accordance with an agreed scheme prior to occupation. (b) Prior to the first use of the commercial units, a scheme of acoustic insulation shall be implemented for the commercial units in accordance with the noise recommendations in the Noise Survey section of the Environmental Statement prepared by Deloitte and stamped as received by the City Council, as local planning authority on 15 April 2016. The approved scheme shall be retained and maintained for as long as the development remains in use and any non-compliance suitably mitigated in accordance with an agreed scheme prior to occupation.	Full Discharge	• New Victoria Conditions 20a (Acoustic Scheme) and 30b (Residential Acoustic – Post-completion Report) • New Victoria Condition 30a (Residential Acoustic – Post-completion Report)

Condition Wording	Full or Partial Discharge	Submitted information
32 Acoustic Insulation - Plant a) Prior to occupation of the development, a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with: (i) the residential development; and (ii) any of the commercial uses; to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter. b) Upon completion of the development and before any of the external plant is first operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the plant and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the plant is first brought into use.	Partial Discharge (Part A)	• New Victoria Condition 32a – Acoustic Insulation (Plant)

*A previous application (Ref: CDN/22/0302) was approved to partially discharge Condition 4 in relation to final landscaping details of the development (this did not include landscaping details for the amenity link bridge. A subsequent application has been submitted to fully discharge the condition (CDN/23/0098), including revised materials for GA level and new information regarding the amenity link bridge. Following design development, the landscaping details have since progressed and a forthcoming Non-Material Application is being submitted in order to formalise these changes. As such, the landscaping information that has been submitted as part of CDN/23/0098 is superseded. Therefore, this application seeks to re-discharge the landscaping details required by Condition 4 to ensure consistency.

Application Submission

In addition to the documents listed in Table 1 and this covering letter, the application comprises the application form.

The application has been submitted through the Planning Portal and the reference number for this application is PP-12099052.

A fee has been paid to Manchester City Council for £116, in addition to any administrative fees by the Planning Portal, in respect of the requisite application fee. We request the Local Planning Authority's express written consent that the enclosed information is sufficient to allow the discharge of conditions 4, 5, 20, 30 and 32 as outlined above.

If you require any further details, please do not hesitate to contact my colleagues Rachel Poole (rpoole@deloitte.co.uk / 0161 455 6272) and Jemma Brabrook (jbrabrook@deloitte.co.uk / 0161 455 6903).

Yours sincerely



For and on behalf of **Deloitte LLP**